

# **EXHIBIT A**

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF TEXAS  
WACO DIVISION**

SWISSDIGITAL USA CO., LTD.,

*Plaintiff,*

v.

WENGER S.A.,

*Defendant.*

Civil Action No. 6:21-cv-453

Jury Trial Demanded

**DECLARATION OF JOHN PULICHINO**

I, John Pulichino, declare as follows:

1. I am the Executive Chairman of Group III International, Inc. (“Group III”). As Executive Chairman, I have personal knowledge of the facts set forth in this declaration based on my work with the company, my review of corporate records, and my consultation with other persons.

2. I provide this declaration in support of Wenger S.A.’s (“Wenger”) Motion to Transfer in the above-captioned matter. I have personal knowledge of the following, and if compelled to testify, I could and would competently testify thereto.

3. Group III designs and sells travel and business gear, including through the website [www.swissgear.com](http://www.swissgear.com).

4. Group III designs and sells SWISSGEAR backpacks, including model numbers 3670, 3671, 3916, 3672, 2870, 2760, 3636, 5358 and 2872

5. These backpacks include the “SWISSGEAR” trademark. “SWISSGEAR” is a registered trademark of Wenger S.A. Group III licenses the rights to use the “SWISSGEAR”

trademark on [www.swissgear.com](http://www.swissgear.com) and on the backpack products.

6. Group III designs, has manufactured, and markets the backpack products.
7. Group III is a Florida corporation. Group III's headquarters is at 2981 W. McNab Road, Suite #1, Pompano Beach, Florida 33069.
8. Group III has 70 employees. All of the employees work in Florida.
9. Group III's documents, records, inventory, sample products, and other materials are all stored in Florida.
10. Group III knows of no potential third-party witnesses that are located in Texas or anywhere other than Florida.
11. Group III does not manufacture or provide any services relating to the accused products in Texas.
12. Group III does not have any offices, facilities, warehouses, property, or other places of business in Texas.
13. Group III does not have any employees in Texas.
14. Group III does not have a telephone number or a mailing address in Texas.
15. Group III is not required to and has not maintained an agent for service of process in Texas.
16. It would be inconvenient for me to travel to Texas. Similarly, for any Group III employees to travel to Texas, they would have to take off at least two days of work. To get from Pompano Beach to Texas requires a drive to Fort Lauderdale or Miami, a flight to Austin or Dallas, and a drive to Waco, resulting in at least five hours of travel each way. Group III is a small business, and losing any of our 70 employees for two or more days of business is inconvenient.
17. I have known SwissDigital USA Co., Ltd. and Mr. Zhijian Hunter Li since at least

March 2014.

18. On March 30, 2021, I attended a Zoom meeting between myself and counsel for Group III, Scott Smiley, as well as representatives and counsel for SwissDigital and Wenger. Present for Wenger were Bettina Linder, Stefan Day, and Harry Frischknecht. Present for SwissDigital were Hunter Li, Darius Keyhani, Fran Tsoi, and Marco Bundi.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Executed on March 9, 2022 in POMPANO, Florida.

  
John Pulichino